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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/888,332      | 06/21/2001  | Robert E. Garner     | G055                | 7224             |

25784 7590 12/22/2004

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| EXAMINER |
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
DO, THUAN V

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| ART UNIT | PAPER NUMBER |
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2825

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |   |
|------------------------------|--------------------------------------|--------------------------------------|---|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/888,332 | <b>Applicant(s)</b><br>GARNER ET AL. |   |
|                              | <b>Examiner</b><br>Thuan Do          | <b>Art Unit</b><br>2825              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/24/2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. This office action is responsive to application entered on 06/21/2001. Claims 1-25 are pending in this office action.

### ***Claim objections***

Claim 1, the terms "component type definitions are unclear to what its mean. Clarification or correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- (e) the invention was described in-
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being unpatentable over Guheen et al. Pub. No. 20040107125.

**Regarding claim 1:** Guheen teaches a computer-implemented system comprising:

multiple component type definitions corresponding to different types of reusable components, the component type definitions including attributes associated with the component type (paragraphs [0117], [0150], [0468]) ;

multiple components, each component being of one of the component types (paragraph [0444]);

multiple component versions for each of the multiple components, each component version being of one of the component, at least one of the component

versions including (paragraph [0295]);

metadata including a component version number for tracking different versions of the component and attributes values describing attributes of the component (paragraphs [0295] and [0317]); and

a deliverable version including one or more design files performing a common function and having described by deliverable version number (paragraphs [0121], [0308]).

**Regarding claim 2:** Guheen teaches the system with the deliverable version number (paragraph [0602]).

**Regarding claim 3:** Guheen teaches the system with storage (paragraph [0443]).

**Regarding claim 4:** Guheen teaches the system with modification (paragraph [0166]).

**Regarding claim 5:** Guheen teaches the system with different type (paragraph [0116]).

**Regarding claim 22:** Guheen teaches a method comprising:

defining deliverable types (paragraphs [0121], [1402]);

defining a first component type including specifying attributes and ones of the deliverable types to be associate with components of the first component type (paragraphs [0117], [0150], [0468]) ;

defining qualification standards associated with the first component type (paragraph [0192]) ;

defining qualification questions associated with the deliverable types (paragraph [0225]);

creating a first component of the first component type (paragraph [0115]);

creating a first component version of the first component (paragraph [0402]);

creating a deliverable version of the deliverable types associated with the first

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component type (paragraph [0402]);

qualifying the deliverable version; and qualifying the first component version (paragraph [0225]).

The remaining claims of 102(e) section contain features similar to the rejection of claims 1-5 and/or 22 and rejected in rationale.

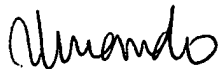
3. Claims 1-25 are also rejected under 35 U.S.C. 102(e) as being unpatentable over Guheen et al. Pat. No. 6519571 in at least columns 2-5,45,51 and figures 1-8 and 35-50.

#### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 571-272-1891. The examiner can normally be reached on Monday-Friday 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do  
Primary examiner  
12/15/04